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HESSEN ROTHENBERG

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P. 002

#5
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MAR 15 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicant: Douglas G. Murray Confirmation No.: 6548
Serial No.: 09/442,909 Group Art Unit: 2154
Filed: November 18, 1999 Examiner: Black, Linh
Title: INFORMATION GATHERING FACILITY EMPLOYING
DICTIONARY FILE CONTAINING MULTIPLE INQUIRIES

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile transmission to: Examiner Linh Black & Examiner John Breene, Group Art Unit 2177, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, Facsimile No. (703) 746-7239, on March 15, 2004.

Jill K. Becker
Jill K. Becker

Date of Signature: March 15, 2004.

To: Examiner Linh Black
Examiner John Breene
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request to Withdraw Abandonment

Dear Sir:

On February 23, 2004, applicant received a Notice of Abandonment (copy attached) for applicant's alleged failure to timely respond to the Office Action letter mailed on July 8, 2003. This assertion is incorrect, and the application should not be abandoned.

In support of applicant's position, attached is a copy of applicant's prior mailed Response dated September 30, 2003. As noted on page 1 of the Response, the Response was filed in reply to the Office Action mailed July 8, 2003.

EN999088

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The September 30, 2003 Response included a Certificate of Mailing on both the amendment and the accompanying transmittal letter. The papers were accompanied by a postcard identifying the application, the amendment, and the amendment transmittal letter. However, a stamped copy has not been received back from the U.S. Patent Office. Notwithstanding this, applicant respectfully submits that the signed Certificates of Mailing clearly evidence applicant's timely filing of a reply to the July 8, 2003 Office Action.

Based on the foregoing, applicant respectfully submits that the Notice of Abandonment mailed on February 18, 2004 was issued in error and respectfully requests that the abandonment be withdrawn and that the case be reinstated.

Should any questions arise regarding this correspondence, please contact applicant's undersigned representative.

Respectfully submitted,



Kevin P. Radigan
Attorney for Applicants
Registration No.: 35,670

Dated: March 15, 2004.

HESLIN ROTHENBERG FARLEY & MESITI P.C.
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EN999088

- 2 -

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P. 004

0827.066



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	PI/ING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/442,909	11/18/1999	DOUGLAS GEORGE MURRAY	EN999088	6548
2590	02/18/2004			
KEVIN P RADIGAN ESQ HESLIN & ROTHENBERG P C 5 COLUMBIA CIRCLE ALBANY, NY 12203-160			EXAMINER BLACK, JENN	
			ART UNIT 2177	PAPER NUMBER

DATE MAILED: 02/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

4/18/2004
DOCKETED

E.G.F.H.W.L.
FEB 23 2004

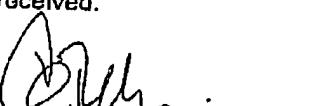
Notice of Abandonment	Application No.	Applicant(s)
	09/442,909	MURRAY, DOUGLAS GEORGE
	Examiner LINH BLACK	Art Unit 2177

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 08 July 2003.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____, but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:

Examiner called Applicant's Representative on February 12, 2004 to check on the status of the case and no returned call has been received.


GRIETA ROBINSON 2/12/04
PRIMARY EXAMINER

LB

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.
U.S. Patent and Trademark Office
PTO-1432 (Rev. 04-01)

MAR. -15' 04 (MON) 15:33

HESLTN ROTHENBERG

TEL: 318 452 5579

P. 006

Applicants: Douglas G. Murray
Serial No.: 09/442,905 Filing Date: 11/18/99
Title: INFORMATION GATHERING FACILITY EMPLOYING DICTIONARY FILE
CONTAINING MULTIPLE INQUIRIES

Patent App: Spec. ____ pps., ____ Clms. ____ pps., Abs. ____ pg.
Drawings ____ sheets: Formal, Informal
 Declaration ____ pps.: Signed, Unsigned
 Assignment ____ pps.; Assignment Recordation ____ pps.
 IDS ____ pps.; IDC ____ pps.; Refs;
 Statement of Relevance ____ pps.
 Verified Statement Claiming Small Entity ____ pps.
Check \$ ____
 Transmittal Letter 1 pps.; duplicate
 Amendment 23 pps.; duplicate Atty/Sec
 Extension of Time ____ pps.; duplicate KPR / dad
 Certificate of Mailing ~~By Airmail~~ Mailed on September 30, 2003

Mailed on September 30, 2003

Docket No.: EN999088 File No.: 0827.066

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Docket No.
EN999088

Applicant(s): Douglas G. Murray

Serial No.
09/442,909Filing Date
11/18/99Examiner
Black, LinhGroup Art Unit
2154Invention: INFORMATION GATHERING FACILITY EMPLOYING DICTIONARY FILE CONTAINING
MULTIPLE INQUIRIESTO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	67	70 =	0	x \$18.00	\$0.00
INDEP. CLAIMS	8	8 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
 Please charge Deposit Account No. _____ in the amount of _____
 A check in the amount of _____ to cover the filing fee is enclosed.
 The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0457 (IDM)
 Any additional filing fees required under 37 C.F.R. 1.16.
 Any patent application processing fees under 37 CFR 1.17.

Kevin P. Radigan
Signature

Dated: September 30, 2003

Kevin P. Radigan, Esq.
 Registration No.: 31,789
 Heslin Rothenberg Farley & Mesiti P.C.
 5 Columbia Circle
 Albany, New York 12203-5160
 Telephone: (518) 452-5600
 Facsimile: (518) 452-5579

I certify that this document and fee is being deposited on 9/30/03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kevin P. Radigan
Signature of Person Mailing Correspondence

Kevin P. Radigan

Typed or Printed Name of Person Mailing Correspondence

cc: